

Serial No. 10/801,273

Amendment in Resp. to Off. Action of Aug. 25, 2006

UTILITY PATENT

B&D No. JK01488A

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:RECEIVED
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Claim 1 (currently amended): A miter saw, comprising:

a base having a support surface for at least partially supporting a workpiece;
a workpiece positioning fence coupled to the base, said positioning fence being orientated substantially perpendicular to the support surface; and
a cutting assembly pivotally mounted to the base on the miter saw to achieve a plurality of positions, said cutting assembly including:

a blade disposed on an arbor;

a blade guard covering at least a portion of the blade;

a motor orientated substantially perpendicular to an ~~the~~ arbor for rotating a circular saw blade; and

a gear assembly configured and arranged to transfer the rotational energy of the motor to the arbor,

~~wherein the gear assembly and motor are configured so as to not contact the workpiece position fence~~ when the cutting assembly is disposed at the cutting assembly's closest position to the base when mitering at least a 45° (forty-five degree) from a plane substantially perpendicular to the workpiece positioning fence, the motor is disposed between the blade guard and the workpiece position fence, at least one of the gear assembly and motor being configured so as to not contact the workpiece position fence.

Claim 2 (original): The miter saw of claim 1, wherein the gear assembly includes a helical gear

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set coupled to the motor and a bevel gear set between the helical gear set and the arbor.

Claim 3 (original): The miter saw of claim 1, wherein the gear assembly includes a helical gear set coupled to the motor and a jack shaft extending between the helical gear set and a bevel gear set coupled to the arbor.

Claim 4 (original): The miter saw of claim 1, further comprising a gear box for enclosing the gear assembly, said gear box being tapered in the direction of the base.

Claim 5 (original): The miter saw of claim 1, further comprising a trunnion disposed between the cutting assembly and the base, said trunnion being constructed so as to permit the cutting assembly to bevel with respect to the base.

Claim 6 (original): The miter saw of claim 1, further comprising a turntable pivotally mounted to the base, said turntable being constructed so as to rotate the cutting assembly with respect to the workpiece positioning fence.

Claim 7 (original): The miter saw of claim 1, wherein the miter saw is at least one of a chop-type miter saw and a sliding miter saw.

Claims 8-33 (canceled).